

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

42 WEST LLC,

Plaintiff,

-against-

ALEXANDER S. GOULD,

Defendant.

21-CV-1581 (OTW)

ORDER

ONA T. WANG, United States Magistrate Judge:

As early as November 1, 2021, Plaintiff had represented that the parties had reached a settlement in principle, but identified certain concerns with finalizing the settlement. (ECF 28). The Court held numerous status calls to ensure that the settlement could be swiftly consummated before the end of 2021, and *pro se* Defendant made certain confidential representations to the Court regarding settlement, as well as on-the-record statements indicating that settlement was imminent on November 29, 2021. (ECF 35). It is now February 2022, and the Court is concerned that *pro se* Defendant is not taking his litigation obligations seriously (*see* ECF 35, 37, 39), and that his prior representations to the Court were not truthful and/or in good faith.

Accordingly, the telephonic status conference set for today is **ADJOURNED. The Court will hold an in-person status conference on Wednesday, February 16, 2022 at 12:00 p.m. EST in Courtroom 20D, 500 Pearl Street, New York, NY 10010.** If Defendant has retained counsel, such counsel must file a notice of appearance before the conference; otherwise, counsel will

not be permitted to speak at the conference. In person attendance at the conference by Defendant or counsel admitted in this District is mandatory; failure to comply with this Order may result in sanctions, including a finding of default and/or contempt of court, pursuant to Fed. R. Civ. P. 16(f), 37(b)(2)(A)(ii)-(vii), 18 U.S.C. § 401, and/or the Court's inherent authority.

Plaintiff shall promptly serve a copy of this Order on Defendant and file proof of service by **February 9, 2022**.

SO ORDERED.

Dated: February 8, 2022
New York, New York

s/ Ona T. Wang

Ona T. Wang
United States Magistrate Judge